

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION**

OCT 3 1 2011  
JULIA C. DUDLEY, CLERK  
BY: *J. C. Dudley*  
DEPUTY CLERK

UNITED STATES OF AMERICA ) Criminal No. 5:05cr00015-1  
 )  
 v. ) 2255 FINAL ORDER  
 )  
 NORWOOD WALLACE BARBER ) By: Samuel G. Wilson  
 ) United States District Judge

In accordance with this court's memorandum opinion entered on this date, it is  
**ORDERED** and **ADJUDGED** that Barber's motion (Docket No. 130) is **CONSTRUED** as a  
motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, and the Clerk is  
directed to **FILE** the motion as such; the § 2255 motion shall be and hereby is **DISMISSED**  
**without prejudice** as successive; and the case is hereby **STRICKEN** from the active docket.

Further, finding that Barber has failed to make the requisite substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

**ENTER:** This 31st day of October, 2011.

United States District Judge